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Serial No. 10/695,723

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PD-970227B

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated August 11, 2006, claims 1-5 are pending in the application. Applicants respectfully request the Examiner for a reconsideration of the rejections.

Claim 5 has been amended to insert wording that was inadvertently left off during filing.

Rejection Under 35 U.S.C. § 102

Claims 1-5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Rosen (U.S. Pat. No. 4,831,619). This rejection is respectfully traversed.

For a proper Section 102 rejection, each and every element of the claims must be found in the reference. Claim 1 recites integrating an area-wide broadcast downlink beam to be used to support point-to-point transmissions of one or more of the multiple spot beams whose transmission capacity has been exhausted. The Examiner points to column 4, lines 30-41, Fig. 9, zones 31, 33, 35 and 37 as well as column 7, lines 16-28. Applicants admit that point-to-point and broadcast service is provided in the *Rosen* reference as described in column 4. However, the reference to column 7, lines 16-28 for multiple spot beams whose transmission capacity has been exhausted, does not teach or suggest that proposition. This paragraph describes multiple downlink zones and downlink zones of unequal widths. This passage, however, does not teach supporting an area-wide broadcast downlink beam to support point-to-point transmission of one or more of the multiple spot beams whose transmission capacity has been exhausted. Again, there is no teaching or suggestion for exhaustion of spot beams. Therefore, because each and every element of the claim is not found in the *Rosen* reference, Applicants respectfully request the Examiner for a reconsideration of claim 1. Claims 2-5 depend upon allowable independent claim 1 and are also allowable for at least the reasons set forth above.

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CONCLUSION

In light of the remarks above, Applicants submit that all rejections are now overcome. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, the Examiner is respectfully requested to contact the undersigned attorney.

Should any fees be associated with this submission, please charge Deposit Account 50-0383.

Respectfully submitted,

Dated: October 6, 2006

By: 

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